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Electronically Filed - March 1, 2007

Attorneys for Lenders Protection Group

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

—ooOoo—

In re:
USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

In re:
USA CAPITAL REALTY ADVISORS,
LLC,

Debtor.

JOINTLY ADMINISTERED
Chapter 11
Hearing Date: March 1, 2007
Hearing Time: 9:30 a.m.

In re:
USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

Debtor.

**DECLARATION OF CHARLES
MARADEN IN SUPPORT OF MOTION
FOR LIMITED STAY PENDING
APPEAL**

In re:
USA FIRST TRUST DEED FUND, LLC,

Debtor.

In re: USA SECURITIES, LLC,

Debtor.

Affects: All Debtors

I, Charles Maraden being first duly sworn, do depose and say under the penalty of perjury:

1. I am a creditor in the USA Commercial Mortgage Company ("USACM") bankruptcy case (BK-S-06-10725-LBR) with claims classified as A-4 (General Unsecured Claims) and A-5 (Direct Lender Compromise Claims) classified in Debtors' Third Amended Joint Chapter 11 Plan of Reorganization filed herein on November 15, 2006.

2. I have knowledge of and am competent to testify to the matters stated herein.

3. Attached hereto as Exhibit A are true and correct copies of the loan summary statement which I received from the Debtor.

4. As detailed in Exhibit A, the Debtors have taken and are holding my property, namely portions of post-petition payments made by third-party borrowers to me as a lender, which payments are processed by Debtor USACM, as a loan servicer.

I hereby swear under penalty of perjury that the assertions of this Declaration are true.

DATED: February 28, 2007

Valerie Caccian A SINGLE WOMAN

Legal Vesting Name
Charles Maraden A SINGLE MAN
WITH TWO

By: Charles R Maraden
Name



USA Commercial Mortgage Company

Investor History Report

Vesting: Valerie Callahan, an unmarried woman, & Charles R. Maraden, an unmarried man, as joint tenants with right of survivorship

Loan: 6425 Gess, LTD

Client ID: 3011

Account ID: 2537

Loan Interest Rate: 12.00%

Original Service Fee: 0.00%

Current Service Fee: 1.00%

| Date | Transaction | A | B | C | D = B - C | E | F | G | H | I = F - G - H | J | K = H - J |
|----------------|---------------------------------------|---------------------|----------------------------|----------------------------|----------------------------|--------------------------------|--------------------|------------------------------------|--|--|---------------------------|--|
| | | Investment | Principal Paid by Borrower | Principal Paid to Investor | Principal Owed to Investor | Unsecured / Diverted Principal | Interest Earned | Loan Service Fee Retained by USACM | Interest Paid by Borrower Net of Service Fee | Cumulative Amount Due Net of Service Fee | Interest Paid to Investor | Cumulative Amount Held for / (Due from) Investor |
| 01/01/2007 | -PRIOR MONTH ENDING BALANCES- | \$250,000.00 | | | | | | | | | | |
| 01/31/2007 | Interest and Service Fee (1/1 - 1/31) | \$250,000.00 | | | | | \$54,543.88 | \$3,387.10 | \$10,627.45 | \$40,529.33 | \$26,416.64 | (\$15,789.19) |
| | | | | | | | \$3,036.72 | \$208.33 | | \$43,357.72 | | (\$15,789.19) |
| TOTALS: | | \$250,000.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$57,580.60 | \$3,595.43 | \$10,627.45 | \$43,357.72 | \$26,416.64 | (\$15,789.19) |

¹ This rate may be adjusted according to your loan servicing agreement.

This statement is provided for informational purposes only and is intended for the sole benefit of the named vested party.

This statement is not intended to represent a loan payoff quote. USA reserves the right to update and supplement this statement.

THIS STATEMENT REFLECTS ACTIVITY FROM 1/1/2007 TO 1/31/2007

A

USA Commercial Mortgage Company
as Loan Servicing Agent for Loans Listed Below

Check Statement for January 1, 2007 through January 31, 2007

Account ID: 2537

Valerie Callahan, an unmarried woman, & Charles R. Maraden, an unmarried man, as joint tenants with right of survivorship

12585 Creek Crest Dr
RENO, NV 89511-7784

| Loan Name | Principal Received in Current Period | Prior Period Principal Due to (from) Investor | Net Interest Received in Current Period | Prior Period Interest Due to (from) Investor | Total Due to (from) Investor |
|---------------------|--|---|---|--|---------------------------------|
| 6425 Gess, LTD | \$0.00 | \$0.00 | \$0.00 | (\$15,789.19) | (\$15,789.19) |
| Lake Helen Partners | \$0.00 | \$0.00 | \$0.00 | \$338.02 | \$338.02 |
| | \$0.00 | \$0.00 | \$0.00 | (\$15,451.18) | (\$15,451.18) |

Prior Period Holdback:

Uncollected Amount (\$426.96)

Court Required Holdbacks:

Collection Costs (\$21.27)

Net Check Amount (\$15,899.41)

The current period is the period covered by the statement.

The prior period reflects the amounts netted or held back post-petition.

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USACM reserves the right to update and supplement this statement.

THIS STATEMENT REFLECTS THE STATUS THROUGH JANUARY 31, 2007



USA Commercial Mortgage Company
Investor History Report

Vesting: Valerie Callahan, an unmarried woman, & Charles R. Maraden, an unmarried man, as joint tenants with right of survivorship

Loan: Lake Helen Partners

Client ID: 3011

Account ID: 2537

Loan Interest Rate: 14.50%

Original Service Fee: 0.50%

Current Service Fee: 1.00%

| Date | Transaction | A | B | C | D = B - C | E | F | G | H | I = F - G - H | J | K = H - J |
|------------|---------------------------------------|-------------|----------------------------|----------------------------|----------------------------|--------------------------------|-----------------|------------------------------------|--|--|---------------------------|--|
| | | Investment | Principal Paid by Borrower | Principal Paid to Investor | Principal Owed to Investor | Unsecured / Diverted Principal | Interest Earned | Loan Service Fee Retained by USACM | Interest Paid by Borrower Net of Service Fee | Cumulative Amount Due Net of Service Fee | Interest Paid to Investor | Cumulative Amount Held for (Due from) Investor |
| 01/01/2007 | -PRIOR MONTH ENDING BALANCES- | \$40,509.03 | \$9,490.97 | \$9,392.95 | | \$88.02 | \$14,039.39 | \$643.66 | \$8,249.63 | \$5,146.10 | \$7,911.61 | \$338.02 |
| 01/31/2007 | Interest and Service Fee (1/1 - 1/31) | \$40,509.03 | | | | \$98.02 | \$574.39 | \$33.76 | | \$5,686.74 | | \$338.02 |
| TOTALS: | | | \$9,490.97 | \$9,392.95 | \$0.00 | \$98.02 | \$14,613.78 | \$677.42 | \$8,249.63 | \$5,686.74 | \$7,911.61 | \$338.02 |

¹ This rate may be adjusted according to your loan servicing agreement.

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